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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 PAUL SIFRE,

9 Plaintiff,

10 vs.

11 WELLS FARGO BANK,

12 Defendant.  
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3:10-cv-00572-RCJ-VPC

**ORDER**

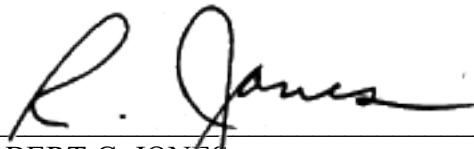
14 This case arises out of the impending foreclosure of Plaintiff's mortgage. Plaintiff requests  
15 a temporary restraining order to prevent a sale of his home. The Court cannot tell from the pleadings  
16 whether a sale has been scheduled, but Plaintiff implies that a notice of default has been filed.  
17 Petitioner appears pro se and has not included copies of the deed of trust or foreclosure documents,  
18 but the Court is aware of common statutory defects in local foreclosures. Particularly, foreclosing  
19 entities often are not the trustee, beneficiary, or agents thereof when they file notices of default. *See*  
20 Nev. Rev. Stat. § 107.080(2)(c).  
21

22 **CONCLUSION**

23 IT IS HEREBY ORDERED that Defendant is temporarily enjoined from selling the property  
24 at 3660 Hawking Court, Sparks, NV 89436 until 5:00 p.m. on Thursday, September 30, 2010 so that  
25 the Court may clarify the status of the foreclosure and discern whether Plaintiff is eligible for the state

1 foreclosure mediation program or is willing and able to participate in court-ordered mediation. The  
2 Court will hold a hearing on preliminary injunction on the eighth floor of the Bruce R. Thompson  
3 Federal Courthouse in Reno, NV at 9:00 a.m. on September 30, 2010.

4 Dated this 29<sup>th</sup> ay of September, 2010.

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7 ROBERT C. JONES  
8 United States District Judge  
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